the Annual Administration Report and Accounts of the Pepsu Road Transport Corporation, Patiala, for the year 1987-88 within the stipulated period [Placed in Library. *See* No. LT-7643/89]

PRESENTATION OF THE REPORT OF THE COMMITTEE ON PAPERS LAID ON THE TABLE

SHRI NARAYAN KAR (Tripura): Madam, I beg to present the Thirty-sixth Report (in English and Hindi) of the Committee on Papers Laid on the Table.

REPORTS OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

SHRI G. SWAMY NAIK (Karnataka): Madam, I beg to lay on the Table a copy each (in English and Hindi) of the following Reports of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes:—

(i) Forty-third Report on action taken by Government on the recommendations contained in the Thirty-eighth Report (Eighth Lok Sabha) on the Ministry of Human Resource Development (Department of Education)—Reservations for and employment of Scheduled Castes and Scheduled Tribes in University Grants Commission and Central Universities and admission and other facilities provided to the Scheduled Castes and Scheduled Tribes students.

(ii) Forty-fourth Report on action taken by Government on the recommendations contained in the Thirty-fifth Report (Eighth Lok Sabha) on the Ministry of Welfare—Socio-economic conditions of Scheduled Castes and Scheduled Tribes in the Union Territory of Lakshadweep.

RE. THAKKAR COMMISSION REPORT

THE DEPUTY CHAIRMAN: I would humbly, from the Chair, request hon. Members today since we have a very heavy business on Appropriations, which have to be pased today due to technical reasons, kindly be extremely brief in your statements. This is my request to those who are speaking. Those who are not speaking, kindly do not interrupt. (*Interruptions*).

SHRI A. G. KULKARNI (Maharashtra): Madam, thank you for calling and permitting me to speak on an important matter which I feel concerns the dignity of this House as well as the Parliament. Madam, what disturbs me is this. This morning when I was reading the newspapers, I found that a particular newspaper, the Indian Express... My personal friend Mr. Shourie... (*Interruptions*). He is my personal friend I am not ashamed of it. I don't ditch people, Mr. Shourie is an intellectual and I know him as that since he was in the World Bank. I find that very recently many matters are being brought which have made the Parliament a laughing stock. Madam, this is about the Thakkar Commission Report. You know that many debates took place here in the last two weeks. There were uproarious scenes also in the House. Ultimately, it was the Prime Minister who knowing the desire of the people and the opposition parties to know the facts, was kind enough to announce on 17th March that the report, whatever it is, will be placed on the Table of the House. Now the Government has placed on the Table of the House whatever can be placed under the Act. Perhaps there might be two opinions on that. I do not mind it. There might be two opinions on that.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): There are two opinions on that. Not might.

THE DEPUTY CHAIRMAN: Please don't interrupt.

SHRI A. G. KULKARNI: I am not interested and I am not pleading for your cause. I am pleading for my cause. There might be two opinions

[Shri A. G. Kulkarni]

about the various parts of this report, etc. etc. and the hon. Speaker in the other House is seized of it. He is going through the matter. It is for the Government also. What worries me is the position of Members of Parliament. During the last 20 years, Members of Parliament were leading such exposures, particularly on issues of corruption or on some other types of revelations, whatever it is. People like Feroze Gandhi and all others had done a tremendous job in unearthing all such types of rackets which were exposed in the interest of the country. Now what is happening is that it is politicising all matters and we are led by newspaper people. I am entirely for the freedom of the press. I am not afraid of anything. We are politicians and as politician and as democrats we are interested in it. Madam, I fail to understand one thing. It is through you that I request the Government to find out how this leak took place and who are responsible for it. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: We want to know who leaked it from the Government side.

SHRI S. S. AHLUWALIA (Bihar): We also want to know. (*Interruptions*).

SHRI A. G. KULKARNI: Madam, let me complete. (*Interrptions*) I have been asked to be brief. Let me complete. As a Congress Party Member I am very much disturbed. I want to know how this matter which is called a top secret matter goes out. (*Interruptions*) How is it published in the newspaper?

(*Interruptions*)

SHRI SATYA PAL MALIK (Uttar Pradesh): Fotedar has leaked it. This is the interview of Kalpnath Rai... (*Interruptions*).

SHRI A. G. KULKARNI: Madam, through you, I want to know whether the Government will take stringent measures and stern action against those culprits and against those who have printed this. Under what law it is to be done, it is for the Government to find out. But Madam...(*Interruptions*). But, Madam, the Prime Minister, being quite appreciative of the feelings of the people and of the Opposition Members, has placed the Report on the Table of the House. Leave aside other matters. But who has done it? And Mr. Shourie with impunity goes on publishing day in and day out any matter whatsoever making Parliament a laughing stock. So, Madam, I would request you that. ...(*Interruptions*).

SHRI PARVATHANENI UPENDRA: Kalpnath Rai has already revealed who has leaked it. Mr. Kalpnath Rai has given an interview. You see that. (*Interruptions*).

SHRI SATYA PAL MALIK: Mr. Fotedar has leaked the report. Mr. Kalpnath Rai has said this in an interview. You need not ask anybody else. (*Interruptions*)

THE DEPUTY CHAIRMAN: I do not want Members to take names. Please be within your..(*Interruptions*).

SHRI A. G. KULKARNI: Madam...

SHRI PARVATHANENI UPENDRA: Mr. Kalpnath Rai has given an interview, Madam. He has named the Minister who leaked it.

SHRI DIPEN GHOSH (West Bengal): Mr. Kalpnath Rai has given an interview telling the name of the Minister who has leaked it to the press (*Interruptions*)

SHRI SATYA PAL MALIK: Not only in 'Surya' but also in 'Sunday', for your information. (*Interruptions*).

SHRI A. G. KULKARNI: Madam, I am not going to take names whether...

THE DEPUTY CHAIRMAN: Mr. Kulkarni, you made your point. Now please take your seat.

SHRI A. G. KULKARNI: My mental level is not as that of the hon. Minister. My mental level is something different. My ideologies are certainly different. I stand for some ideologies and social commitments. But I do not want the Government to be impervious to such acts of the newspapermen. They must be dealt with sternly... (*Interruptions*) I will ask all of you... (*Interruptions*)

श्री चतुरानन मिश्र (बिहार) . महोदया, आपने कल रूलिंग दी थी कि कापी मिल जाएंगी अभी कापी नहीं मिली हैं तो क्या हम इंडियन एक्सप्रेस के आफिस में जाएं)

....(व्यवधान)....

What is your ruling? Is it your ruling that the Members should go to the 'Indian Express' office or....

SHRI DIPEN GHOSH: Mr. Kulkarni wondering how it could go to the press. But the Report which has been tabled has not yet reached the Members of Parliament. So, we will have to go to the newspaper office to secure a report unless you make it available. (*Interruptions*)

THE DEPUTY CHAIRMAN: If you allow me to say, then I will say... (*Interruptions*)

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): Yesterday you promised...

THE DEPUTY CHAIRMAN: Yes, I promised....

SHRI MOTURU HANUMANTHA RAO... that we get the copies today. But no copy is available.

THE DEPUTY CHAIRMAN: Right. I gave you a promise on the assurance which was given to me... (*Interruptions*) I have been told that by 5 o'clock you will get the copies. Before 5 o'clock...

AN HON. MEMBER: By that time another edition of the newspaper will come.

THE DEPUTY CHAIRMAN: I don't think another edition of the newspaper will come before 5 o'clock. No other edition of the newspaper will come before 5 o'clock. So you will get the copies before that. (*Interruptions*)

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Evening editions...

THE DEPUTY CHAIRMAN: If you are aware of it, that is a different matter. But I will definitely try to see that the copies are available to you. If any Member wants, you just go and refer to the copy lying in my Chamber. You can sit there and read it.

SHRI DIPEN GHOSH: Is that a multilated one or the full one with volumes 2 and 3 and 4? We want the whole report.

THE DEPUTY CHAIRMAN: Whatever copies have been laid on the Table of the House, if any Member wants to refer to it; there is one in my Chamber, you can come and refer to it. But I assure you that I will again ascertain from the Minister to make copies available to each Member who wants it.

SHRI PARVATHANENI UPENDRA: Everybody wants it.

SHRI CHATURANAN MISHRA: हम लोगों को कहीं एक्सप्लेनेशन देना होगा कि whether we want it or not?

THE DEPUTY CHAIRMAN: Now let Mr. Advani speak. We have to go back to other business. Appropriation is getting delayed.

श्री अश्विनी कुमार (बिहार) : उपसभापति महोदया, क्या सरकार इतनी अक्षम है कि साढे तीनसौ पन्नों को एक हजार कापीज 15 दिन में नहीं बना सकता है। यह अक्षमता दूर होना चाहिए।

श्री पवन कुमार बंसल (पंजाब . छापने के लिए प्रेस को नहीं दिया था, अगर प्रेस को दे देते तो फिर आप शोर मचाते ... (व्यवधान) ...

THE DEPUTY CHAIRMAN: We are not discussing printing presses here. Yes, Mr. Advani.

SHRI LAL K. ADVANI (Madhya Pradesh): The day before yesterday, when the Minister of State for Home Affairs was about to lay on the Table of the House copy of the Thakkar Commission Report my colleague, Shri Jaswant Singh, stood up to ask whether the appendices etc. were also being laid on the Table of the House. All that this question suggested was that there were apprehensions in his mind that the entire report was not being laid on the Table of the House. But when the Minister replied, the interim report, the final report, the appendices, everything was being laid on the Table of the House, naturally, there were cheers and thumping in the House as if the apprehensions expressed by my colleague had been proved unfounded, and the Government was determined to come out with the full report before the House. That was the clear impression this House got and I also got the same. It was only late in the evening when I went to the library to browse through the report that I discovered that particular paragraph—which I am not going to quote again; with your kind permission yesterday I quoted that pargarph—to say that Justice Thakkar himself has described "the report compromising of four volumes" It is not a question of what Attorney-General says; it is not a legal matter at all. It is a substantial report about which the author of the report himself says 'my report is in four volumes'. I am not going into the details of it. Yesterday when I raised this matter, I wanted to draw the attention of the Government to the fact that this House has been taken for granted, that this House has been taken for a ride. An impression has been given to this House that 'we have placed full report and it is only after study that we come to the conclusion that the full report has not been kept; certain parts of it have been withheld from the House. Now, Madam, you were kind enough yesterday to assure the House that this concern expressed here in this House would be conveyed to the Government. This happened yesterday morning, 24 hours back. Even after 24 hours, Madam,—this is to be taken note of—the Government has not had the courtesy, the decency, the elementary decency to come to this House and tell this House, 'well, the report that we laid day before yesterday, was not the full report and certain portions we have withheld for such reasons... "they can explain those reasons. Whether we agree with those reasons or not is a different matter altoghether. But it seems that though Parliament is comprised of two Houses, the Government felt its duty done when it told the other House that certain parts of it are sensitive... and, therefore, we cannot give them to Parliament; and it thought its duty was over. I hold that this is a contempt of the Rajya Sabha. You cannot take this House for granted. This feeling is also shared by Members from the other side. I am not raising any partisan issue. I only say that you cannot take this House for granted.

SHRI JASWANT SINGH (Rajasthan): Quite right.

SHRI LAL K. ADVANI: Madam, here is a situation in which a Member of the ruling party stood up to raise the issue and I was happy that he raised it. But I could understand the constraints under which he was speaking. I could appreciate those constraints. Even then, it made him

make a remark which, I think, is the crux of the situation. It is that the manner in which the Government has been handling this entire issue of the Thakkar report. Senior Ministers first defended vigorously that under no circumstances would the report be plaed on the Table of the House because it would endanger the security of the country, that it would be against public interest. I must say, the entire ruling party defended the government's stand with all the vigour and vehemance at its command. Now, the whole Parliament is being reduced to a laughing stock. Day after day, you are bungling. You are committing one blunder after another. What do you want? Do you want these two volumes to be pubished in a special supplement of 'The Indian Express' for Members of Parliament to read? This is the question, Madam, to which not only you, as the custodian of the House, must address yourself but all the Members of this House irrespective of the party to which they belong must address themselves.

We must take the Government to task for the manner in which, firstly, it amended the whole Act. This Act had given Parliament the right to every single report, every single word of every single report. Now, suddenly, the Act is amended. Not only that. Madam, I speak here as a Member of the Rajya Sabha. I went through the proceedings of this House. In 1986, my colleague, Mr. Vajpayee, drew the attention of the Government to a lacuna in the original Commissions of Inquiry Act wherein such reports were to be placed on the Table of the Lok Sabha only. We moved a formal amendment that they should be placed on the Table of both Houses of Parliament. But when I saw this morning that because mention was made only of the Lok Sabha the Rajya Sabha need not be taken into confidence, I was hurt. It is not only a question of the Rajya Sabha being taken into confidence. A paper has been laid on the Table of the House and it has been laid giving the impression that it was a complete text of the Thakkar report. Even after forty-eight hours, the Home Minister has not informed us that they have withheld certain portions of the report and that they were consulting the Attorney-General or whoever it is. Therefore, I have moved a motion of privilege which is being considered by the Chairman. But I would like to appeal to the Government. Please, for God's sake come clean with the whole Thakkar report. Come clean with the report of the Special Investigation Team. If you try to hide it, if you try to be secretive about it, this secrecy will destroy your Government. Madam, let us not forget that this Government came into office principally because of the tragedy in which this country lost its Prime Minister. That tragic assassination.... *(Interruptions)*

SHRI PAWAN KUMAR BANSAL: Madam, Mr. Advani is transgressing the limits of his Special Mention. *(Interruptions)*

SHRI LAL K. ADVANI: Let not history say that it was...

THE DEPUTY CHAIRMAN: Mr. Advani, will you confine yourself..... *(Interruptions)*
You should confine yourself to the subject-matter. I hope, you, as a senior Member of the House, will abide by the rules.

SHRI LAL K. ADVANI: I will confine myself to the subject-matter though what I was about to say was very relevant. I know there are emotions on both sides. I can understand that, I appreciate that and I do not want to refer to it. But I would say that this is a question in which the basic issue is how democracy is being conducted informed public opinion is the basis of democracy. Unless you have an informed public opinion, there can be no successful democracy. therefore, all these attempts to shove things beneath the carpet are going to destroy democracy. they are going to affect you directly.

[Shri Lal K. Advani]

One last point. I must say that as a pressman myself I regard the investigative work done by Arun Shorie and the 'Indian Express' as a high water markest in the annals of the Journalistic history. (*Interruptions*).

SHRI V. NARAYANASAMY (Pondicherry): This is shedding crocodile tears.

श्री लाल कृष्ण आडवाणी : इनकी तकलीफ़ मैं समझ गया . . . (**व्यवधान**) . . .

This is a leaking Government, it is a leaking ship. Please have it before it sinks.

यह जहाज तो डूब जाएगा, आप लीक की बात करते हो। दुनियां के जितने लोकतंत्र हैं, अमरीकन गवर्नमेंट को देखिए, ब्रिश गवर्नमेंट को देखिए . . . (**व्यवधान**) . . .

It is on the basis of this kind of investigation.

श्री सुरेन्द्रजीत सिंह अहलुवालिया : वह साथी आपका है . . . (**व्यवधान**) . . .

श्री लाल कृष्ण आडवाणी : हां हां : मेरा साथी है मुझे उन पर गर्व है।

THE DEPUTY CHAIRMAN: Mr. Advani, I have other names to be called. So, kindly...

श्री लाल कृष्ण आडवाणी : मेरा इतना ही निवेदन है कि जो अभी चतुरानन मिश्रजी ने सही पूछा और अप्रत्यक्ष रूप से कुलकर्णी जी ने भी पूछा कि क्या संतोष मोहन देव जी रिपोर्ट देंगे या हमको प्रेस के दफ्तरों में जाना पड़ेगा ? इसी बात को कहकर मैं अपनी बात समाप्त करता हूं ।

SHRI DIPEN GHOSH: Madam, Deputy Chairman, actually it is a fact now and it is an admitted fact that, though assured, the full report of the Thakkar Commission has not been laid on the table of either of the two Houses. So far as this House is concerned, even there has been no statement as yet from the Government on whether the report which was laid on the Table was full the report or part report or a mutilated report. Anyway, since the Government has not come out with any statement, we have no option but to depend upon the newspapers. I fully share the anxiety expressed by my learned colleague, elderly colleague, Mr. Kulkarni, that there was a time when Parliament Members used to expose and the newspapers used to carry those exposures. Now newspaper exposes and the Member of Parliament carries it inside the Parliament. There is nothing wrong in it as such because in a democracy there has to be interaction Press is an institution like the Parliament and they are complementary to each other. (*Interruptions*). Madam, I said that the press is an institution like the Parliament, I have not said anything else. It has to be interacted. (*Interruptions*).

THE DEPUTY CHAIRMAN: Are you equating press with Parliament?

SHRI DIPEN GHOSH: No, no, I am not equating. That much of intelligence I do have. (*Interruptions*). I do have that much of intelligence, Mr. Jagesh Desai. But the fact is, whether Mr. Kulkarni will agree with this or not,—and they cannot ignore this fact —that had a part of the Thakkar Commission report not been published in the press, at least about whatever volumes the Members of Parliament have come to know or copies of which they had been entitled to receive, they would not have received them. In fact, those reports were withheld from Parliament.

THE DEPUTY CHAIRMAN: Be brief. I have two or three other names. Otherwise, I will not be able to allow anybody else.

SHRI PARVATHANENI UPENDRA: Why should we be penalised? We cannot be penalised for his long speech.

THE DEPUTY CHAIRMAN: If he takes so much time, everybody will have to suffer.

SHRI DIPEN GHOSH: It has been decided that on the 3rd and 4th April, this House will be discussing that report. And it is our right and privilege to discuss that report. In order to assess that report in its right perspective, one is supposed to get all the volumes of the report. Without what is contained in volumes II, III and IV, as reported in a section of the press, one will not be in a position to assess the report in its entirety, in its right perspective. Madam, why?...I am telling you.

THE DEPUTY CHAIRMAN: We are not debating.

SHRI DIPEN GHOSH: No, we are not debating.

THE DEPUTY CHAIRMAN: Listen, Mr. Dipen Ghosh. Just a minute, please. I requested everybody to be brief. I understand your sentiments. I understand every Member's sentiments. I am also a part of this House. And I also understand everybody's anxiety. But you see we have other things also to consider. So, you have placed your viewpoint. When we debate the report, you have got the freedom to speak as much as you like, but not today. So, please abide by this.

SHRI DIPEN GHOSH: Madam, from what is supposed to have been stated by Thakkar Commission in the volumes which have been laid on the Table of the House, we have come to know that the possibility of there being foreign hands behind the assassination of Mrs. Gandhi has not been ruled out and certain names of officers and officials have also been mentioned.

THE DEPUTY CHAIRMAN: The basic point is...

SHRI DIPEN GHOSH: Please try to understand. *(Interruptions)*

SHRI MADAN BHATIA (Nominated): He is going completely outside the scope of this discussion. Can he make any observation he likes on the report?

THE DEPUTY CHAIRMAN: Just a minute...Mr. Dipen Ghosh...

SHRI ANAND SHARMA (Himachal Pradesh): We have also a right to reply.

THE DEPUTY CHAIRMAN: You have the right to speak, not reply. But the main things is, Mr. Dipen, as I very politely and decently requested you, Mr. Advani has spoken, Mr. Kulkarni has spoken and I am giving you a chance and I am allowing Mr. Upendra and some other Members who have sent their names. But the problem is, as I said, there is shortage of time. That is a very inevitable thing. We cannot help it.

The other thing is, we are not discussing the report today. No, we are discussing a very limited aspect of it. So, kindly keep yourself only to that. I do not want to put words in your mouth, but you can easily say that the third, fourth or fifth volume, or whatever those papers are, should be put on the Table of the House. That is all. You say this thing and finish it off.

SHRI DIPEN GHOSH: I wanted to now...because tomorrow some people are there who will say that these things cannot be placed, as we have seen in the papers. But the question is, whatever has been laid on the Table, and whatever has been published in the newspapers after it was laid on the Table—from that summary I am to conclude that there are wider ramifications and obviously, in order to discuss that report, assess that report with its wider ramifications, including there being foreign hands behind the assassination of Mrs. Gandhi, we are entitled to know what is there in those three volumes. So naturaly, I will request you to pass orders so that the Government comes out with the whole report, including what is contained in Volumes II, III and IV.

THE DEPUTY CHAIRMAN: Mr. Upendra. Please...

SHRI PARVATHANENI UPENDRA: Madam, I am always brief. Madam Deputy Chairman, in a panicky reaction to the situation, this Government is committing blunder after blunder to cover up one blunder, it is committing more blunders.

SHRI N. K. P. SALVE (Maharashtra): This is totally irrelevant... (*Interruptions*)

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : तेलुगु देशम के कितने सदस्यों ने इस्तीफा दिया, यह मैं जानना चाहता हूं (व्यवधान)

SHRI ANAND SHARMA: Mr Upendra has made the most amusing remark, knowing the state of affairs in his party and his Government in Andhra Pradesh.

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): Tomorrow Mr. Upendra also may resign like the Telugu Desam MLAs.... (*Interruptions*)...

THE DEPUTY CHAIRMAN: I again request all Members. This is my final request... (*Interruptions*)... I am assuring you, I am allowing some people... (*Interruptions*)... Please. You don't have patience... (*Interruptions*)...I am allowing everybody who is very concerned to speak. I am allowing one by one, but not the entire House. Otherwise we can dispense with all the money matters and discuss these papers all right. Please be brief. I know everybody's sentiments. Kindly be brief--and don't interrupt. I am requesting everyone.

SHRI PARVATHANENI UPENDRA: Madam Deputy Chairman, there is no ambiguity about what constitutes the Thakkar Commission's report. Mr. Thakkar himself has said, as Mr. Advani had rightly pointed out, on page 7, para 1.83, "The Commission's report is in four volumes." That is his sentence. These four volumes, including the latest one—the fifth volume—are in 12 parts. No. 1: The first volume is only one part. The second volume has A, B, C, D—four parts... (*Interruptions*)...

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): What, actually, is the purpose? Is it a debate, Madam?

THE DEPUTY CHAIRMAN: No, it is not a debate. I have repeatedly said that this is not a debate. Please don't repeat. There is no point in repeating.

SHRI PARVATHANENI UPENDRA: I am not repeating, I am not going out of your ambit.

THE DEPUTY CHAIRMAN: You are really going out of it.

SHRI PARVATHANENI UPENDRA: There are 12 parts. Volume I has got one part, volume II has got four parts, volume III has got four parts, volume IV has got one part and volume V—the latest, final, report—two parts: total 12 parts. Out of the 12 parts, the Government has placed only two parts on the Table of the House. Therefore, 10 more parts are yet to be placed on the Table of the House. As Mr. Thakkar himself has pointed out, all these parts constitute the report of the Thakkar Commission and, therefore, all the parts have to be placed on the Table of the House.

Also, as Mr. Advani has rightly pointed out, the Rajya Sabha has been taken for a ride. Even while telling that the remaining portions will be shown to the Speaker, they completely ignored the Chairman of the Rajya Sabha. They did not even mention that these portions will be shown to both the Chairman and the Speaker. There also they discrimiated against this House. I am sure, in spite of their best efforts to conceal, the truth will come out, more and more parts will come out and the whole Parlia-

ment will be put in an embarassing position.

It is not necessary to refer the matter to the Attorney-General.

SHRI A. G. KULKARNI: There is no legal position to keep it in the Rajya Sabha. You see the Act.

SHRI PARVATHANENI UPENDRA: No, it is very clear. The whole report has to be placed... (*Interruptions*)...

SHRI CHATURANAN MISHRA: Mr. Kulkarni, is there any provision? ...(*Interruptions*)...

AN HONOURABLE MEMBER: The Prime Minister's Office has given it to the *Hindustan Times*... (*Interruptions*)...

SHRI PARVATHANENI UPENDRA: Therefore, Madam... (*Interruptions*)...Let me complete. What is this? You don't control them and you ask me to be brief.

THE DEPUTY CHAIRMAN: Be brief. You don't listen to them. I am listening to you.

SHRI PARVATHANENI UPENDRA: He is disturbing... (*Interruptions*)...There is no reason also to refer the matter to a pliable Attorney-General: We know what advice he would give. Therefore, it is not at all necessary to refer the matter to the Attorney-General. The report is the property of the House and the House is competent to decide on the matter. Therefore, the Attorney-General does not come into the picture. Therefore, the remaining parts have to be placed on the Table of the House... (*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Salve.

SHRI N. K. P. SALVE: At the outset I would like to submit and get the record straight. If it is a question of privilege of the House and if anyone has committed a contempt of this House, then, there are no party predilections and no party affiliations; we are all one. Please do not arrogate to yourself the exclusive authority of safeguarding the privileges of this House or be concerned about contempt, we are equally worried. I am willing to make my submissions upon the contention, Madam, that if on the Table of the House is not laid the Report as understood by Mr. Thakkar himself, by the Commissioner himself, the Government would be guilty of breach of privilege and would be guilty of contempt of the House. Also, whether the documents and volumes which have been withheld should be laid on the Table of the House or not is a different question. Mr. Advani is usually a very restrained man. I do not know where was the warrant, the imperative for him to eulogise Mr. Shourie and others. That is irrelevant to the purpose. The House's privilege is involved in ensuring that the Report as understood by Mr. Thakkar is certainly laid on the Table of the House. If that be the position, it is true.

Madam, the difficulty has arisen because these documents have not been made available to everyone. Had these documents been made available, I submit, it would have been clear that Mr. Thakkar never understood that part of the compilation, that part of the Volumes which has not been laid by the Goverment on the Table of the House to be the Report. Undoubtedly, referring to the Interim Report, it does say that the Commission's Report is in four Volumes. But that is extremely inadequate for the purposes of determining what he considers to be the Report. What Mr. Thakkar says in the Interim Report finally on 19th November, 1985 when he submits the Report is, "This is an Interim Report..." What he calls the "Interim Report" does not include the Volumes which will be remitted along with the Final Report. In other words, the Interim Report as understood by Mr. Thakkar was what was

[Shri N. K. P. Salve]

submitted by him, and that did not include Volumes 2, 3 and 4 which he said "would be remitted along with the Final Report. So, this is so far as these three valumes are concerned.

SHRI PARVATHANENI UPENDRA: Madam, on a point of order. Though Justice Thakkar himself called it "Interim Report", this is the Final Report as far as the terms of reference are concerned... (*Interruptions*).

SHRI N. K. P. SALVE: I never disturbed you. It is a question of privilege of the House. I urge upon at least the senior Members like Mr. Upendra to bear with me, listen to me.

SHRI PARVATHANENI UPENDRA: It is the Final Report.

SHRI P. N. SUKUL (Uttar Pradesh): Let him finish.

SHRI N. K. P. SALVE: What I submit is, this is the Interim Report. I quote him. (*Interruptions*) Listen.

SHRI PARVATHANENI UPENDRA: You read the last para.

SHRI N. K. P. SALVE: I am reading the last para itself. What are you talking? I am reading the last para of the Interim Report, Madam, page 9.

THE DEPUTY CHAIRMAN: Let him read it.

SHRI N. K. P. SALVE: The first sentence is:

> "This Report is an Interim Report."

To reiterate this I refer to page 8 which says: that the Volumes will be remitted along with the Final Report. and these are Volumes 2, 3, and 4. If I am misleading the House, let there be anotner privilege motion against me.

Then what happens? What is that Final Report? This takes care of the three Volumes which have been later sub-divided. And he has created a plenty of confusion, Madam. (*Interruptions*) These are subsequently divided. But that is not to say that the Government is guilty of breach of privelege. It has been later on divided as 2A, 2B, 2C, 2D, 3A; 3D; 3C; and 3D. Now, Madam, the Final Report, page 4, at the outset...

THE DEPUTY CHAIRMAN: He is trying to solve the confusion.

SHRI LAL K. ADVANI: Confusion worst confounded... (*Interruptions*)

SHRI N. K. P. SALVE: My submission is, when the case is weak, you do not want to listen to others. How did I listen, how did we listen? In fact, I myself told Mr. Advani yesterday... (*Interruptions*)

THE DEPUTY CHAIRMAN: Order please.

SHRI N. K. P. SALVE: I myself shared my view with Mr. Advani that if the Commissioner has thought a certain set of documents to be the Report and if that has not been laid on the Table of the House, I think, it will be a question of privilege. But, on reading the Report I find that Mr. Thakkar himself did not consider those documents and papers and compilations which have not been laid on the Table of the House to be the Report simpliciter. Now, I come to the final report. Give me two minutes and I will finish. I am not on the question whether the document should be laid on the Table of the House or not. That is a different thing. The issue is limited. The issue is one of privileges and if what the Commissioner thought to be report is not laid on the Table of the House as a report, then certainly there will be a breach of privilege. Documents which are not submitted, parts of the report whether they should be presented before the House or not is a matter which we will debate later on. Unnecessarily don't bring in irrelevant issues which are not germane to privilege.

I am reading the final report now. The scheme of the final report, the

present report, which is the final report, is in two parts—Part I, Part I(A). Now, part I is laid, part I(A) is not laid.

SHRI PARVATHANENI UPENDRA: Yes, that is what I have said.

SHRI PAWAN KUMAR BANSAL: Madam, this unclarity is the fault with him.

SHRI N. K. P. SALVE: On a question of contempt, I think the humour is slightly misplaced. If at all there is any humour in this, it is a kind of stupidity. I submit, the same report, para 1.6.3 says Part I(A) is a compilation of the material.

PROF. C. LAKSHMANNA (Andhra Pradesh): How do you allow him to use the word stupidity? Do you allow him?

THE DEPUTY CHAIRMAN: Well, in the same way as I allowed Mr. Advani and Mr. Upendra and everybody else to go beyond the purview. So, don't question the Chair,how I am allowing any Member, Professor. You go and teach in your college and not to the Chair.

SHRI N. K. P. SALVE: Para 1.6.3, Part I(A) is a compilation of the material for the purposes of final report.

In the end, having laid the final report, what does it say? Para 1.6.5 referred to in paras 1.6.4 and 1.6.3, they are the three volumes and Part I(A) will be given to the Secretary to the Government of India, Ministry of Home Affairs by the Secretary to the Commission shortly. After having submitted what he considers the report, these documents are to be given shortly. So, the documents which are not laid on the Table of the House comprise those documents, which it was said were not part of the interim report which will be given later on.

SHRI PARVATHANENI UPENDRA: Because they were not typed in time.

THE DEPUTY CHAIRMAN: Does he mention that?

SHRI N. K. P. SALVE: No, he does not say. If it was not typed, then he would have said the interim report is incomplete. It will only be complete after they are typed. Try to understand. They have forensic expertise. Others who don't have forensic expertise would dispassionately consider this aspect which I am putting to you. He said he is submitting the interim report. It is submitted. These volumes are not there. Then you say that it is a Part of the interim report. Secondly, I submit, he says: "I am submitting the final report." The other papers—I(A) are not submittsd with the final report they will be submitted later. This being the scheme of things, I submit, *prima facie* Government was right in saying that it is laying the Report on the Table of the House, report as understood by the Commissioner himself, not as report as understood by the Opposition Members.

In the end I would submit that with the privilege question the question whether we are entitled to documents or not is not linked up. There is no warrant to eulogise Mr. Shourie or anybody who is the receiver of the stolen property and who has fallen back upon it. Many things can happen and particularly yo can exploit it. The minimum we expect of you is not to drag the fair name of Mrs. Gandhi and try to exploit her assassination for political purposes.

SHRI PARVATHANENI UPENDRA: You have exploited her name and have come to power.

SHRI M. S. GURUPADASWAMY (Karnataka): Mr. Salve has unnecessarily tried to justify what I call an unjustifiable thing is a blunder which has been committed by the Government. Ordinarily we understand...

[Shri M. S. Gurupadaswamy]

(*interruptions*)...Two ladies are very busy. Therefore, I thought,...

THE DEPUTY CHAIRMAN: One lady has to settle the problem before 1 O'clock. So kindly be brief.

SHRI M. S. GURUPADASWAMY: Madam, we are discussing a very extraordinary matter. The Parliament is naturally exercised to find out the truth and in this it is natural for Parliament to demand the entire report. I am not here discussing what constitutes the report.

SHRI PAWAN KUMAR BANSAL: That is an important question.

SHRI P. N. SUKUL: That you must discuss.

SHRI M. S. GURUPADASWAMY: Why don't you listen to me? You have not completely heard me.

THE DEPUTY CHAIRMAN: Please make them hear brief.

SHRI M. S. GURUPADASWAMY: All the minutes, including various Annexures, whatever may be the Annexures, constitute the report.

SHRI P. N. SUKUL: According to you.

SHRI M. S. GURUPADASWAMY: According to everybody.

SHRI P. N. SUKUL: No.

SHRI M. S. GURUPADASWAMY: In a matter like this...

SHRI MURLIDHAR CHANDRAKANT BHANDARE (Maharashtra): On a point of order. Will you point out a single report of the Parliamentary Committee wherein the evidence and other documents also form a part of the report? Look at the Bofors Committee, look at the Railway Committee or any Parliamentary Committee's report which contain also the depositions or the testimonies of the witnesses and other materials which are connected. Will you show a single report? I am not in favour of keeping that document. But when you are talking about the obligation under the Act, "report" is well understood. You yourself have been a party to so many reports.

SHRI PUTTAPAGA RADHAKRISHNA (Andhra Pradesh): Depositions may not be reproduced...

THE DEPUTY CHAIRMAN: There is a limit. Please...

SHRI M. S. GURUPADASWAMY: Madam, May I say through you, to my hon. friend that even depositions are placed in the Library.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: That is a separate point.

SHRI M. S. GURUPADASWAMY: Here is an extraordinary case where the whole Parliament is exercised, public is exercised. In the interest of the Government itself, all the documents should be made available to Members of Parliament. I want to ask you, Madam, whether all the documents are being supplied to us.

SHRI P. N. SUKUL: Here the report is being discussed and not all the documents.

SHRI M. S. GURUPADASWAMY: The truncated report is here. My charge is that it is truncated. It is rationed. The Members of Parliament are given rationed report. You are giving it in bits and pieces. I say, in your own interest and in the interest of the Government, all the documents must be made available to us. Let us not go into technicalities.

SHRI PAWAN KUMAR BANSAL: Why not?

SHRI M. S. GURUPADASWAMY: Because you want to find out the truth. You are interested in that. We are interested in that. There is no

dispute on that. There is no quarrel on that. With as view to helping us to understand the truth, all the relevant documents demanded by us should be placed on the Table of the House and these reports should not be brought in bits and pieces. They should not be rationed. The most important point is whether the debate 1.00 P.M. will be satisfactory, will be full. It is possible only if you do not deny us all the documents. That is the question that has been raised here. Therefore, I demand that all the documents regarding the investigation should be brought before the House and secondly, we said yesterday and the day before yesterday that sufficient copies should be made available to us.

THE DEPUTY CHAIRMAN: That I have already told you and I have assured you.

SHRI M. S. GURUPADASWAMY: Even yesterday you said, 100 copies will be made available immediately.

THE DEPUTY CHAIRMAN: I again ask the State Minister of Parliamentary Affairs to make sure that you get the copies.

SHRI M. S. GURUPADASWAMY: When are we going to get the copies?

श्री सत्यपाल मलिक : मेरा व्यवस्था का प्रश्न है . . . (व्यवधान) . . .

THE DEPUTY CHAIRMAN: At 5 O' clock today, I have been informed that they will get all the copies and I will find out and ascertain that. I will reassure you that I will ask the Government and the Ministry to provide the same. Now, Mr. Pawan Kumar Bansal.

SHRI SATYA PAL MALIK: I am on a point of order.

उपसभापति : प्वाइंट आफ़ आर्डर काहे पर है ? कृपया बैठ जाइये ।

श्री सत्यपाल मलिक : महोदया, आप सुन तो लें . . . (व्यवधान) . . . उसके बाद आप . . . (व्यवधान) . . .

SHRI M. S. GURUPADASWAMY: You know that we have fixed up the debate already.

THE DEPUTY CHAIRMAN: I have told the Secretary-General and the Government to make available the copies.

SHRI M. S. GURUPADASWAMY: You must get us all the copies of all the documents.

THE DEPUTY CHAIRMAN: I am concerned with the copy which is being placed on the Table of the House. Whatever is being placed on the Table of the House, that would be available. I am not concerned with the other things.

SHRI SATYA PAL MALIK: You can overrule it.

THE DEPUTY CHAIRMAN: I do not want to hear any point of order. I have allowed Mr. Pawan Kumar Bansal to very briefly say what he has to say.

श्री सत्यपाल मलिक : महोदया, आप प्वायंट आफ आर्डर कैसे अलाऊ नहीं करेंगी ।

उपसभापति : नहीं आप बैठ जाइये ।

श्री सत्यपाल मलिक : आप सुन कर ही तो डिसअलौ करेंगी । आप मुझे सुन तो लें . . . (व्यवधान) . . . आप सुनने के बाद ही . . . (व्यवधान) . . .

You may disallow.

THE DEPUTY CHAIRMAN: I am telling you and I think the Members of this august House should at least sometimes abide by the direction of the Chair. When I am allowing everybody to speak, if you are going to run this House this way, then we are not doing any justice either to our House of which Mr. Advani was so concerned or to the work we have been assigned.

श्री सत्यपाल मलिक . मैं भाषण नहीं कर रहा हूं ।

उपसभापति : आपभाषण नहीं करिए, बहुत भाषण हो गये हैं . . . (**व्यवधान**) . . . अब आप पवन कुमार बांसल को बोलने दीजिए । . . . (**व्यवधान**) . . .

श्री सत्यपाल मलिक : आप मुझे ओवररूल कर दें और फिर उसके बाद आप प्रोसीडिंग्ज में से निकाल दें ।

उपसभापति : मैंने ओवररूल कर दिया है । (**व्यवधान**)

श्री सत्यपाल मलिक : मेरा व्यवस्था का प्रश्न है . . . . (**व्यवधान**) . . . उसके बाद आप उसको ओवररूल कर दें . . . (**व्यवधान**) कहीं पर इरेलेवेंस है तो . . . (**व्यवधान**) . . .

श्री पवन कुमार बांसल . मेरे बड़े होने पर भी वह प्वाइंट आफ़ आर्डर कर रहे हैं ।

डा० रत्नाकर पांडेय . माननीय सदस्य के खड़े होनेपर मेरा प्वाइंट आफ़ आर्डर है । जब आपने मना कर दिया, तो बैठ जाना चाहिए, नहीं तो मैं भी खड़ा रहूंगा । (**व्यवधान**) म भी कुछ कहना चाहता हूं मैंने इनसे पहले हाथ उठाया है । (**व्यवधान**) . . .

श्री सत्यपाल मलिक : मेरा बहुत वेलिड प्वाइंट आफ़ आर्डर है । (**व्यवधान**) आप उसे सुन कर ओवररूल कर दें । (**व्यवधान**)

उपसभापति : आप सिर्फ़ एक जुमले में बोलिये कि आपका प्वाइंट आफ़ आर्डर किस विषय पर है ?

श्री सत्यपाल मलिक : जो हो रहा है, इसी के विषय में है ।

THE DEPUTY CHAIRMAN: Then I cannot allow you, not even on a point of order. I am not going to allow you to speak on this matter. So please sit down.

SHRI SATYA PAL MALIK: I am not speaking on this matter. Madam, something improper is happening.

THE DEPUTY CHAIRMAN: No, no. nothing is happenning.

श्री सत्यपाल मलिक: आप मुझे तो सुन तो लें . . . (**व्यवधान**) . . . ऐसे तो कभी डिसअलाऊ नहीं . . . (**व्यवधान**) . . . आप बिना सुने कैसे डिसअलाऊ कर देंगी ? Then I will walk out. आप मुझे सुन कर डिसअलाऊ करतीं . . . (**व्यवधान**) . . . आपको मेरी रक्षा करनी चाहिए . . . (**व्यधावन**) . . .

उपसभापति . कल भी ऐसा हुआ . . . . (**व्यवधान**) . . . मैं आपको एक बात बता दूं . . . (**व्यवधान**) . . . Don't record what he says. Don't try to teach me the rules and regulations otherwise you will be at a weak point. Please don't argue. I said, please sit down.

श्री सत्यपाल मलिक :*

[*At this stage, the hon. Member left the Chamber*].

SHRI PAWAN KUMAR BANSAL: Madam, this is not the first time that a Commission of Inquiry was appointed to go into a question of public importance. The procedure always has been that whenever a Commission of Inquiry was appointed, it issued notices to the general people, people appeared before the Committee, gave their memoranda and tendered oral evidence also. Always, the Commission finally ends up by submitting a report to the Government and along with the report all the relevant records are submitted. But what is important today is as to what constitutes the report, the point which the hon. Members from the other side

*Not recorded.

tried to really not go into. We in Parliament cannot convert ourselves into an appellate authority over any finding of any commission of inquiry appointed under the Act. It is generally said that little knowledge is dangerous. Unfortunately, that is what seems to have happened on the other side. The hon. Members... (*Interruptions*)...may have referred to certain parts from the introduction of the interim report. They should know that the interim report deals with three out of the five points referred to the Commission. (*Interruptions*).

THE DEPUTY CHAIRMAN: Please do not disturb. Let him speak. I have allowed many people to speak. He has a right to speak in the House. (*Interruptions*).

SHRI PAWAN KUMAR BANSAL: Madam, I do not cast any aspersion. (*Interruptions*). Similarly, Madam, the final report contains the Commission's final view, final analysis, on the other two points. They are here referring to twelve parts. Well, If, honestly speaking, have a feeling that there could be more than twelve parts because ten parts constitute the first set of three points. If you were to ask for all the evidence tendered before the Commission, all the interrogatories issued, it would not be fair to the Commission and to the members of public who may have tendered their oral evidence or submitted any application to the Commission. What Parliament is concerned with is the report of the Commission and that report is actually in two parts. The interim report deals with three points and the final report deals with two points. If you were to go through this report, it is clear about what the Commission wants to say on different points and wherever the Commission feels the necessity of appending any communication, that has been included in those two reports. Madam, this opportunity must not be used by us to politicise the issue. What was promised by the Government to be laid on the Table of the House was the report of the Commission and the report has been honestly laid on the Table of the House. Now, finding that they cannot make an issue out of the report, the Opposition are again desperately trying to create a doubt in the minds of the people that the report has not been fully laid on the Table of the House. (*Interruptions*). Madam I do not mean to cast aspersions. This is not supposed to be the atiitude of the Opposition. If any section of the press laid its hands on any part of any public document which is not part of the report, we should have pointed to condemn that paper here. It may not be a breach of the privilege of the House. But it is definitely a violation of some law of the country and we should have all joined to seek action against that. (*Interruptions*). We should have all joined to seek action against that. But, unfortunately, the issue today is not the report. The issue before the Opposition, the stake of the Opposition, is prime-ministership and desperately, it is in that direction that they are moving when they are raising this issue. (*Interruptions*). It is in that direction that they are moving. If any hon. Member has gone through the introduction of the two reports, interim and final, it would be clear that all that the hon. Members have said from the Opposition side is irrelevant. It is irrelevant because the report is what has been laid on the Table of the House. You have set two days for discussing that. And as you have said, we are not to take time today in discussing as to what is in the report. We would have an opportunity later to discuss it. But if you were to go through the report—and our friends from the other side have gone through that—it could be seen that whatever documents the Commission considered relevant are attached to it. (*Interruptions*). I only appeal finally that we must not take this opportunity only to politicise the issue. And one of the hon. Members on the other side went on to say that only because there was a leakage in

[Shri Pawan Kumar Bansal]

the papers the Government had to place these two parts on the Table of the House. That the Government has done because a sort of suspicion was sought to be created with a malicious intention, casting aspersions on the Prime Minister, casting aspersions on other people. And now an effort was made to link the Commission's observations about the foreign hand with some officers. It is this we have to avoid, and it was to allay such fears that the Report has been laid on the Table of the House. (*Time bell rings*)

I am sure we will discuss it at length and true to their responsibility the Members on the Opposition side would not distort things, would not try to mislead the people by saying that the Government has not placed the Report on the Table of the House.

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, this is the Times of India, not the Indian Express.

THE DEPUTY CHAIRMAN: We are not discussing newspapers; we are discussing some other papers.

SHRI GURUDAS DAS GUPTA: In this newspaper there is a news today on the front page that Mr. Buta Singh and the Minister of Parliamentary Affairs held a Press Conference yesterday, and in that Press Conference they said—I quote:

> "Mr. Buta Singh and Mr. H.K.L. Bhagat, Minister for Parliamentary Affairs, today clarified during a Press Conference the Government's stand on the controversy over what constitutes the Commission's Report."

My point is simple. While the Parliament is in session, can the Minister or Ministers or a representative or representatives of the Government issue a statement clarifying Government's position, as vital as it is today, outside the floor of Parliament? While the Parliament is in session — I do not ask the question whether the dignity of the Rajya Sabha is infringed upon; it has been the parliamentary system, there is a law and we have to abide by that law — while the Parliament is in session, the Ministers are having a Press Conference to issue statements on policy matters; I say Madam, it is a question of breach of parliamentary propriety and, therefore, I raise the matter so that the House takes into cognizance the breach of parliamentary propriety by the Home Minister of the country.

Madam, my second point is that we want the Report to be published in full with full annexures because there is one reason. There is no question of political benefit. The question is that the security of the country depends on the working of the conspirators. The conspirators have to be identified and the root of the conspiracy has to be eliminated. And if that is to be done, the nation must be informed who are the conspirators, who were the conspirators. It is for the Government that the whole thing should be placed. Otherwise there is a sense of suspicion that the conspirators are being shielded, that the people who had been doing the conspiracy, whether inside or outside the country, have not been properly brought to book. Therefore, it is to clear the suspicion that the people should not indulge in controversy whether it is a part of the Report or not a part of the Report. There is something which is constitutional.

There is another thing: the security of the country. And another thing: public opinion of the country. The Prime Minister of the country has been murdered. Therefore, it is now being said that some people entered into a conspiracy. But you do not publish who were the persons, whether they were Indians or

they were foreigners. Therefore, it is for the security of the country to ensure that again another Prime Minister is not assassinated in the same way, to ensure that the security system works in a fool-proof way. That the nation has to be informed. That is the concern of the nation. That cannot be the monopoly of a single political party. It is the concern of the entire nation. The nation has to be informed what has been done, what is beng done... (*Time bell rings*)... and whether everything has been done. Therefore, we want a report with all these annexures to be published.

Thirdly, Madam, instead of bullying the Press, the Press should be complimented, because the Press has unearthed something which should have been disclosed by the Government themselves. It is the inaction of the Government or failure of the Government that has been disclosed by the Press. I take the chance to compliment the Press, not any particular person or a particular newspaper.

I compliment the Press because the Indian Press has been playing a most crucial role in building up public opinion and in building up concern, I suppose, in the Members of Parliament also. If the Members of Parliament cannot by themselves get hold of important documents or news and if the Press brings it out in the open, we will have to make use of it. (*Time bell rings*) Unfortunately or fortunately, Press is also a part of democracy.

THE DEPUTY CHAIRMAN: That is enough.

SHRI GURUDAS DAS GUPTA: Madam Chair person, my last point is very important. My last point is that Parliament must be informed in full whether a person who has been indicted by the report is being brought back to the Secretariat of the Prime Minister. (*Interruptions*)

SHRI MADAN BHATIA: This is wrong. I object to it. (*Interruptions*)

SHRI GURUDAS DAS GUPTA: We must be informed because the Secretariat of the Prime Minister happens to be a part of the State apparatus and State apparatus cannot be allowed to have people with doubtful character.

THE DEPUTY CHAIRMAN: Mr. Gurudas Das Gupta, you have exceeded your limits. (*Interruptions*) Please sit down. I am on my legs. You have exceeded certain limits. I allowed you. But that does not mean that you can speak anything you like. I will look into the records. If there is anything objectionable, I will look into it. Mr. Anand Sharma. And he is the last speaker.

SHRI GURUDAS DAS GUPTA: I said: "Office of the Prime Minister's Secretariat". I have never said "Prime Minister". I have never said "Prime Minister". I have said "Office of the Prime Minister's Secretariat".

SHRI MADAN BHATIA: Madam, I should be allowed to say something. What he is talking? He is playing * politics. (*Interruptions*)

THE DEPUTY CHAIRMAN: I have already said that I will look into the record and remove whatever is not proper. I have allowed you, Mr. Anand Sharma. (*Interruptions*)

SHRI ANAND SHARMA: Madam, it is very strange. You have permitted me to speak. My senior colleagues should have at least that much of courtesy and respect for the rules of this House. I have been called upon to speak.

SHRI N. E. BALARAM (Kerala): I don't think it was proper on the part of a Member to say that the other Member was playing * politics'.

*Expunged, as ordered by the Chair.

THE DEPUTY CHAIRMAN: Who said it?

SHRI GURUDAS DAS GUPTA: He said 'politics'. He is a clean man.

THE DEPUTY CHAIRMAN: I have promised that I will look into the records and anything which is not proper will be looked into. Don't get agitated. I promise. You don't believe the promise of the Chair. Anything * will not be allowed in this House. I can assure you.

SHRI ANAND SHARMA: Madam Deputy Chairman, the issue which has been raised today certainly has very serious dimensions. I for one, like my other senior colleagues, Mr. Salve, would say that we also believe in and respect the right to information of the Members of Parliament. We are second to none in upholding the dignity of this House and in protecting its privileges because those are our privileges also as Members of this House. Let me be very clear that nobody should think that there is only one section which is concerned about the privileges and the right to information. We all are Members of this House and are as responsible as the Members on that side, if they behave like that. I put a rider.

PROF. SOURENDRA BHATTACHARJEE (West Bengal): He has put a condition to behave.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): They are the supporters of the National Front which has assaulted a woman leader of the Opposition and took off her saree. (*Interruptions*)

SHRI ANAND SHARMA: Madam, from what Mr. Advani said and subsequently other respected colleagues on the other side said, it becomes clear from their observations from the statements which have been made during the last few days and particularly today that it is not a genuine interest to get those annexures. They are also aware that those particular three volumes are not a part of the Report as per the statement of Justice Thakkar in the final Report. Madam, I will come to that later. Never before for any Report for any Commission of Inquiry's Report, the friends on that side have ever demanded annexures, notices, etc. as they are doing in this case. When the same Justice Thakkar was there in the Thakkar-Natarajan Commission of Inquiry, nobody demanded the annexures and interrogatories and notices. Madam before dealing with *this political point, I just have to* quote from page 3 of the Final Report, just one paragraph . . .

AN HON. MEMBER: How have you got a copy?

SHRI ANAND SHARMA: I have it from the Chamber. I have every right to quote.

Madam, I am not going into the subject matter. I am confining myself strictly, responsibility to what Advanji and others have said. Madam, there were five issues raised through the Terms of Reference of this Commission of Inquiry. The Interim Report dealt with the first three issues, and in the final Report, the remaining two issues were dealt with by Justice Thakkar. And he says, and I think it is very simple English...

SHRI MOHINDER SINGH LATHER (Haryana): We have no copies of the Report.

SHRI ANAND SHARMA: I will give it to you. I am responsible enough.

THE DEPUTY CHAIRMAN: One copy is in my Chamber. You can go and see.

SHRI MOTURU HANUMANTHA RAO: Madam, it is discriminatory... We are discriminated against. There

*Expunged, as ordered by the Chair.

is no supply of copies to us and he is supplied with a copy. How has it happened?

SHRI ANAND SHARMA: Go to the Library. (*Interruptions*)

THE DEPUTY CHAIRMAN: I will ask the hon. Member to check up whether it is the same copy which is circulated or it is a separate copy. We have to ascertain that first.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: There are three or four copies in the Library. Only my learned friend does not go to the Library.

SHRI MOTURU HANUMANTHA RAO: The supply of copies is discriminatory. (*Interruptions*)

SHRI ANAND SHARMA: This Report is the final Report in the sense that while the Interim Report covers three out of five matters, the present Report covers the remaining two matters and thus—please listen—all the matter referred to the Commission now stand covered by the Interim Report read along with this final Report. I think it is very clear ... (*Interruptions*)

THE DEPUTY CHAIRMAN: It is the same Report which is going to another Member. Please pass it on to the Opposition also.

SHRI ANAND SHARMA: For the purposes of Report, it is only the Interim Report read with the final Report. (*Interruptions*) Madam, it is very clear, they also know when they raised this issue and they also agree that it is without precedent, particularly demanding the interrogatories and annexures. I am raising a more basic issues, Madam, for all the Members to consider. There are Commissions of Inquiry demanded and set-up. We demanded...

SHRI LAL K. ADVANI: Would you please yield for a minute?

SHRI PARVATHANENI UPENDRA: Only once the Prime Minister was killed, baba.

SHRI LAL K. ADVANI: I would like my hon. colleagues from that side to answer or to address themselves to the question how scores of interrogatories and questions sent to Mr. R. K. Dhawan and his replies including the diary photostats have all been included in the Report. What I am saying is that all these interrogations are there in the case of R. K. Dhawan, but not in the case of others. It does not make any sense. Anyway, it is for you. आपको तो मुश्किल तब होगी जब गवर्नमेंट इसको भी ले आएगी... (व्यवधान)...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Point of order.

SHRI PARVATHANENI UPENDRA: How can there be a point of order?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Point of order on what Mr. Advaniji has said.

श्री सत्य प्रकाश मालवीय : यह अन्याय है। सत्यपाल मलिक ने व्यवस्था का प्रश्न उठाया तो आपने ऐलाऊ नहीं किया उनको। उनको कैसे ऐलाऊ कर रहे हैं ? ..(व्यवधान)..

THE DEPUTY CHAIRMAN: You are one of the Members on the panel and you should realise that it is entirely up to the Chair to allow anybody or disallow anybody.

SHRI SATYA PRAKASH MALAVIYA: No, not to violate the rules... (*Interruptions*).

SHRI LAL K. ADVANI: Chair has the discretion but not arbitrary...

THE DEPUTY CHAIRMAN: It is not arbitrary, Mr. Advani. I have been

[The Deputy Chairman]

extremely patient to all of you. You don't pull it too much. All the Members get up unnecessarily: We have an important business and I requested repeatedly to you all.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am grateful to you: I will only read rule 86 of our rules and what happens when our committees function. It is regarding Printing and publication of evidence. (1) "The evidence tendered before the Select Cammittee under rule 85 may be made available to all members of the Select Committee." And not to all the Members of the House. Then (2) "The Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table." (*Interruptions*)

SHRI SATYA PRAKASH MALAVIYA: It relates to Select Committee.

THE DEPUTY CHAIRMAN: Let Mr. Anand Sharma finish; at 1.30, I will start the budget.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Let me complete. There is third para. Kindly see. "(3) The evidence given before a Select Committee shall not be published by any member of the Select Committee or by any other person until it has been laid on the Table." Kindly see this also.

THE DEPUTY CHAIRMAN: Mr. Anand Sharma, you complete now.

SHRI ANAND SHARMA: What I was saying is that the friends on the other side are also aware that the SIT is still investigating into various aspects. ... (*Interruptions*) Please. There are more sensitive issues involved; there are deeper issues involved. Today if what they are demanding is done, then tomorrow it would become difficult for this country to make people depose, particularly when they themselves demand that they want to know the dimensions of the conspiracy. The contours have been sketched by this Commission. At this stage, how can you expect.'. (*Interruptions*). No, Madam, this is a very serious thing. Why I am saying, it is sinister, is because there are elements who held brief for the assassins. Today we are listening to the sermons about the assassination of the late Prime Minister. It was a grave loss for the country; it was a personal loss of the Prime Minister and it was still a greater loss for the Indian National Congress and the people of this country. Today nobody can question the bonafides or the integrity of this Government to unearth the complete dimensions of this conspiracy and to expose those who were behind it. I am intrigued; it is shocking that those who are showing this interest throughout Mrs. Gandhi's lifetime, castigated her they denigrated her; they punished her; they put her in jail. After her assassination, they held brief for the assassins. They wanted the assassins to be pardoned. And today they are taping about the integrity of the Government. Today they are talking ... (*Interruptions*)... I have every right to express...

SHRI PARVATHANENI UPENDRA: Why are you afraid then?

SHRI ANAND SHARMA: ...and just place my views on record.

SHRI MOHINDER SINGH LATHER: He is making a political speech.

SHRI ANAND SHARMA: I am not making a political speech. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Anand Sharma, please conclude now. It is 1.30 now. I said that we would be taking up the Appropriation Bills at 1.30.

SHRI ANAND SHARMA: I can assure my friends on the other side. Truth really hurts. I am not making a speech. I assure my friends on the other side that I will certainly make

a speech when I will come out with further details. Then, they will not be able to sit peacefully in their seats but they will keep on jumping because truth is always bitter, Madam.

SHRI PARVATHANENI UPENDRA: We are looking forward to it.

SHRI ANAND SHARMA: I conclude by saying that what they are demanding is not a genuine one and it has no relevance. It is a despicable attempt to politicise it for cheap political gimmick and propaganda—the tragic assassination of late Shrimati Indira Gandhi.

THE DEPUTY CHAIRMAN: Now, we take up the Appropriation Bills.

I. APPROPRIATION (VOTE ON ACCOUNT) BILL, 1989

II. APPROPRIATION BILL, 1989

THE MINISTER OF STATE IN THE DEPARTMENT OF EXPENDITURE IN THE MINISTRY OF FINANCE (SHRI B. K. GADHVI): Madam, I beg to move:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1989-90 as passed by the Lok Sabha, be taken into consideration."

Madam, the House had a general discussion on the Budget for 1989-90. The Appropriation (Vote on Account) Bill seeks only a special supply to enable the Government to carry on, ending detailed consideration and passing of the Demands for Grants for the whole year and the connected Appropriation Bill.

The total amount sought for in this Bill is Rs. 41,751.28 crores of which Rs. 28,930.22 crores is charged on the Consolidated Fund of India and the balance of Rs. 12,821.06 crores has been voted by the Lok Sabha. Necessary details of the Vote on Account are given in the pamphlet circulated to hon. Members.

Madam, I also beg to move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the finanial year 1988-89, as passed by the Lok Sabha, be taken into consideration."

Madam, this Bill arises out of the supplementary appropriation charged on the Consolidated Fund of India and Demands voted by the Lok Sabha on March 27, 1989. The Bill involves gross additional expenditure of Rs. 3,491 crores. Against the gross additional expenditure of Rs. 3,491 crores, concerned Ministries and Departments have identified matching savings, recoveries or increased receipts to the extent of Rs. 2,349 crores leaving a net additional requirement of Rs. 1,142 crores. This comprises of Rs. 497 crores for defence pensions, Rs. 200 crores for defence services, Rs. 100 crores for export subsidy, Rs. 60 crores for loans to the National Textile Corporation, Rs. 50 crores for interest payments, Rs. 50 crores for subsidy to set up industries in selected backward areas Rs. 34 crores for assistance to State Governments for on-going family welfare schemes, Rs. 29 crores for comprehensive crop insurance scheme and Rs. 122 crores for other items. The details of the Supplementary Demands have been given in the documents laid on the Table of the House on 16th March, 1989.

The questions were proposed.

THE DEPUTY CHAIRMAN: Mr. Kamal Morarka. Mr. Morarka, I know you can speak quite well on economic matters but, unfortunately, we have only ten minutes for your party. Please conclude within that time-limit.